IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI

and
THE HON'BLE SRI JUSTICE D.APPA RAO

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WRIT PETITION No.2081 of 2006

Between:

Md.Janimiya

..... PETITIONER

AND

1.The Secretary, Regional Transport Authority,

Mahaboobnagar District, Mahaboobnagar, and another.

.....RESPONDENTS

ORDER: **(Per Hon'ble Sri Justice Bilal Nazki,)**

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The petitioner's vehicle has been seized according to the Check Report on 28.01.2006. Besides other allegations, there is an allegation that the petitioner had not paid the tax for that quarter. Enquiry is pending. The learned Government Pleader submits that since the tax is not paid, the petitioner is liable to pay the tax along with penalty. The penalty will, however, have to be determined after issuing a show cause notice to the petitioner. Therefore, in these circumstances, we direct release of vehicle on payment of tax due and subject to filing an undertaking by the petitioner to the effect that he shall not alienate or in any way encumber the vehicle. The question of penalty shall, however, be decided by the authorities concerned in accordance with law.

Writ petition is accordingly disposed of. No order as to costs.

(Bilal Nazki, J)

3rd February, 2006

(D.Appa Rao, J)

Note:

Wire at

Parlty's costs.

B/o

LUR